

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-7707

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

DANILO MONTOYA, a/k/a Daniel Montoya,

Defendant - Appellant.

Appeal from the United States District Court for the District of South Carolina, at Greenville. Margaret B. Seymour, District Judge. (CR-99-98; CA-02-2233-6)

Submitted: May 14, 2004

Decided: May 26, 2004

Before TRAXLER, KING, and DUNCAN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Danilo Montoya, Appellant Pro Se. Marvin Jennings Caughman, Assistant United States Attorney, Columbia, South Carolina; Arthur Bradley Parham, OFFICE OF THE UNITED STATES ATTORNEY, Florence, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Danilo Montoya previously appealed the district court's final order denying relief on his 28 U.S.C. § 2255 (2000) motion. We denied a certificate of appealability and dismissed the appeal. See United States v. Montoya, No. 03-7636 (4th Cir. Mar. 30, 2004) (unpublished). Montoya again appeals from the district court's denial of his § 2255 motion. Because we have previously determined that Montoya has failed to provide grounds meriting a certificate of appealability, it is the law of the case. Christianson v. Colt Indus. Operating Corp., 486 U.S. 800, 815-16 (1988); United States v. Bell, 5 F.3d 64, 66-67 (4th Cir. 1993).

Thus, we deny a certificate of appealability and dismiss the appeal. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED